

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN RE:

**AE BICYCLE LIQUIDATION, INC.,
et al.,¹**

Debtor.

**THE FINLEY GROUP, INC., solely
in its capacity as Plan
Administrator for Advanced
Sports, Inc.**

Plaintiff,

v.

Star Leader Trading Limited,

Defendant.

**CASE NUMBER: 18-80856
CHAPTER 11**

**ADVERSARY PROCEEDING
NO.: 20-09037**

MOTION FOR DEFAULT JUDGMENT

COMES NOW The Finley Group, Inc. (the "Plaintiff"), by and through counsel, and moves the Court pursuant to Federal Civil Procedure Rule 55 and Bankruptcy Rule 7055 for judgment by default, and in support thereof shows unto the Court that:

1. Plaintiff's claim is for a sum certain.
2. Defendant has failed to plead or appear or are otherwise subject to default judgment as provided by the Bankruptcy Code and Federal Rules of Civil Procedure and as shown by the attached Affidavit (**See Exhibit A**).

¹ The Debtors in this case, along with each Debtor's case number, are: (i) AE Bicycle Liquidation, Inc. (formerly known as Advanced Sports Enterprises, Inc., Case No. 18-80856); (ii) AI Bicycle Liquidation, Inc. (formerly known as Advanced Sports, Inc.), Case No. 18-80857; (iii) Performance Direct, Inc., Case No. 18-80860; (iv) Bitech, Inc., Case No. 18-80858; and (v) Nashbar Direct, Inc., Case No. 18-80859.

3. On August 27, 2021, Default as to this Defendant was entered by the Clerk.

4. There is due to the Plaintiff from the Defendant the sum of \$171,913.00, plus costs and interest at the legal rate from November 6, 2020, the date of the filing of the complaint.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment against the Defendant, Star Leader Trading Limited, and in favor of the Plaintiff in the amount of \$171,913.00, plus interest at the legal rate from November 6, 2020, and for the costs of this action.

Date: August 30, 2021.

FLASTER/GREENBERG P.C.

William J. Burnett (PA Bar No. 75975)

(pro hac vice)

1835 Market Street, Suite 1050

Philadelphia, PA 19103

(215) 279-9383 Telephone

(215) 279-9394 Facsimile

william.burnett@flastergreenberg.com

EXHIBIT A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

IN RE:

AE BICYCLE LIQUIDATION, INC.,
et al.,¹

Debtor.

THE FINLEY GROUP, INC., solely
in its capacity as Plan
Administrator for Advanced
Sports, Inc.

Plaintiff,

v.

Star Leader Trading Limited,

Defendant.

CASE NUMBER: 18-10856
CHAPTER 11

ADVERSARY PROCEEDING
NO.: 20-09037

**AFFIDAVIT IN SUPPORT OF MOTION FOR ENTRY OF DEFAULT AND MOTION
FOR DEFAULT JUDGMENT**

William J. Burnett, being first duly sworn, deposes and says:

1. This adversary proceeding is an action to recover and avoid preferential payments made by the Debtor to the Defendant pursuant to §§547 and 550. This is a core proceeding pursuant to 28 U.S.C. § 157.

2. By letter mailed on August 19, 2020, Plaintiff made demand on Defendant pursuant to §§ 547 and 550 of the Bankruptcy Code for repayment of certain prepetition transfers made by the Debtor, Advanced Sports, Inc.

¹ The Debtors in this case, along with each Debtor's case number, are: (i) AE Bicycle Liquidation, Inc. (formerly known as Advanced Sports Enterprises, Inc., Case No. 18-80856); (ii) AI Bicycle Liquidation, Inc. (formerly known as Advanced Sports, Inc.), Case No. 18-80857; (iii) Performance Direct, Inc., Case No. 18-80860; (iv) Bitech, Inc., Case No. 18-80858; and (v) Nashbar Direct, Inc., Case No. 18-80859.

3. The Complaint was filed on November 6, 2020, and the Amended Summons was issued on January 27, 2021. Service was perfected on February 26, 2021, in person serving a copy of the Complaint, and Adversary Proceeding Memo to the attention of the Defendant as evidenced by the Certificate of Service in the Court file (Doc. #11), consistent with Bankruptcy Rule 7004 and Federal Civil Procedure Rule 4.

4. Personal jurisdiction over each Defendant was acquired by service of process in the manner described above.

5. The sum of \$171,913.00 plus interest from the date of the filing of the complaint is justly due the Plaintiff by the Defendant. No payments have been made by or on behalf of the Defendant and there are no set-offs or counterclaims.

6. The time for filing an answer has expired, and the Defendant has filed no answer or other pleading. The Plaintiff believes that the Defendant is not under a disability or in military service, and the Defendant has not appeared to otherwise defend the action.

This the 19th day of August 2021.



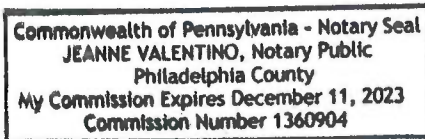
William J. Burnett

SWORN to and subscribed before me,
This 19th day of August 2021.



Notary Public

My Commission Expires: _____



CERTIFICATE OF SERVICE

I hereby certify that on this date, a copy of the foregoing was served by depositing a copy in the United States mail, postage fully pre-paid, as follows:

Star Leader Trading Limited 15 th Floor, BOC Group Life Assurance Tower 136 Des Voeux Road Central Central, Hong Kong, SAR	
--	--

Under penalty of perjury, I declare that the foregoing is true and correct.

Date: August 30, 2021.

FLASTER/GREENBERG P.C.

William J. Burnett (PA Bar No. 75975)

(pro hac vice)

1835 Market Street, Suite 1050

Philadelphia, PA 19103

(215) 279-9383 Telephone

(215) 279-9394 Facsimile

william.burnett@flastergreenberg.com